

Staff Report



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| To | City Council |
| Service Area | Infrastructure, Development and Enterprise Services |
| Date | Tuesday, February 14, 2023 |
| Subject | Decision Report 205-213 Speedvale Avenue East Proposed Official Plan and Zoning By-law Amendments Files: OZS18-011 and OZS22-003 Ward 2 |

Recommendation

1. That the application by Black, Shoemaker, Robinson and Donaldson Limited on behalf of the owner, Beryl Isobel Beard and Michael Fortin, on lands municipally known as 205-213 Speedvale Avenue East and legally described as Part of Lots 30 and 31, Registered Plan 221, City of Guelph, for approval of an Official Plan Amendment to add a site-specific policy to the "Low Density Residential" land use designation to permit a maximum net density of 45 units per hectare and a maximum building height of four storeys, be approved in accordance with Attachment-3 of Report 2023-34 dated February 14, 2023.
 2. That the application by Black, Shoemaker, Robinson and Donaldson Limited on behalf of the owner, Beryl Isobel Beard and Michael Fortin, on lands municipally known as 205-213 Speedvale Avenue East and legally described as Part of Lots 30 and 31, Registered Plan 221, City of Guelph, for approval of a Zoning By-law Amendment to change the zoning from the current "Residential Single Detached" (R.1B) Zone to a new "Specialized Infill Apartment Zone" (R.4D-?) Zone, to permit the development of a three and a half storey, 21-unit apartment building, and the conversion of the existing single detached dwelling located at 213 Speedvale Avenue East into a three-unit building be approved in accordance with Attachment-4 of Report 2023-34 dated February 14, 2023.
 3. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 205-213 Speedvale Avenue East.
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Executive Summary

Purpose of Report

This report provides a staff recommendation to approve an Official Plan Amendment and Zoning By-law Amendment to permit the development of a three and a half storey, 21-unit apartment building, and the conversion of the existing single detached dwelling located at 213 Speedvale Avenue East into a three-unit building.

Key Findings

Planning staff support the proposed amendments subject to the recommended Official Plan Amendment in Attachment-3 and the recommended zoning regulations and conditions in Attachment-4.

Strategic Plan Alignment

The recommended Official Plan and Zoning By-law Amendments align with the priority of 'Sustaining our Future'. The proposed development applications are in conformity with the policies of the City's Official Plan, which is the City's key document for guiding future land use and development. The Official Plan's vision is to plan and design an increasingly sustainable city as Guelph grows. A review of how the proposal is in conformity with the City's Official Plan can be found in the Staff Review and Planning Analysis in Attachment-11.

Financial Implications

Estimated Development Charges: \$520,803 (based on current rates)

Estimated Annual Property Taxes: \$85,000 (estimate only and actual number may vary)

Report

Background

Applications to amend the Official Plan and Zoning By-law were received for the lands municipally known as 205-213 Speedvale Avenue East from Black, Shoemaker, Robinson and Donaldson Limited on behalf of the owners, Beryl Isobel Beard and Michael Fortin. The original Zoning By-law Amendment application was received by the City on December 18, 2018 and deemed complete on January 17, 2019. The Statutory Public Meeting for the proposed Zoning By-law Amendment application was held on April 8, 2019.

The original application proposed Density Bonusing under Section 37 of the Planning Act, however, due to Provincial changes Bonusing is no longer available and the applicant submitted a site-specific Official Plan Amendment application on February 25, 2022. The Statutory Public Meeting for the Official Plan Amendment was held on May 9, 2022.

Location

The subject lands are located at the south-west corner of Speedvale Avenue East and Delhi Street and are composed of four properties municipally known as 205, 207, 211 and 213 Speedvale Avenue East (see Attachment-1 Location Map and Attachment-2 Aerial Photograph). The lands are approximately 0.53 hectares in size with approximately 81 metres of frontage along Speedvale Avenue and

approximately 45 metres of frontage along Delhi Street. There are four existing single detached residential dwellings located on the subject lands. The applicant is proposing to demolish the existing dwellings located on 205, 207 and 211 Speedvale Avenue East and convert the existing dwelling located on 213 Speedvale Avenue East into a three-unit building.

Surrounding land uses include:

- To the north: Speedvale Avenue, beyond which are lands zoned for and developed with single detached residential dwellings;
- To the south: lands zoned for and developed with apartments, and single detached residential dwellings;
- To the east: Delhi Street, beyond which are lands zoned for and developed with single detached residential dwellings; and,
- To the west: lands zoned for and developed with single detached residential dwellings, beyond which is Marlborough Road.

Existing Official Plan Land Use Designations and Policies

The subject lands are designated as “Low Density Residential” in the Official Plan. Permissible uses within this land use designation include single and semi-detached dwellings and multiple unit residential buildings, such as townhouses and apartments. The “Low Density Residential” land use designation permits a maximum building height of three (3) storeys and a maximum density of 35 units per hectare.

The relevant policies for the applicable land use designation are included in Attachment-5.

Proposed Official Plan Amendment

The applicant is proposing to add a site-specific policy to the “Low Density Residential” land use designation to permit a maximum net density of 45 units per hectare and a maximum building height of four (4) storeys. Although the proposed apartment building is only three and a half storeys in height, the difference between three and four (4) storeys under the Ontario Building Code (OBC) is critical and dictates under which section of the OBC the building can be designed. This is the reason for requesting a maximum building height of four (4) storeys.

The recommended Official Plan Amendment is included in Attachment-3.

Existing Zoning

The subject lands are currently zoned “Residential Single Detached” (R.1B), according to Zoning By-law (1995)-14864, as amended.

The existing zoning is shown in Attachment-6.

Proposed Zoning By-law Amendment

Original Proposal

The purpose of the Zoning By-law Amendment is to change the zoning from the “Residential Single Detached” (R.1B) Zone to a “Specialized Infill Apartment” (R.4D-?) Zone. In addition to the regulations set out in Table 5.4.2 – for the “Infill Apartment” (R.4D) Zone of Zoning By-law (1995)-14864, as amended, the following specialized regulations have been requested to facilitate this proposal:

- To permit a minimum of 24 parking spaces, whereas the Zoning By-law requires a minimum of 35 parking spaces for the proposed development;
- To permit a minimum side yard setback of 3 metres, whereas the Zoning By-law requires a minimum side yard setback of one-half the building height (requirement being 5.9 metres); and,
- To permit a minimum rear yard setback of 3 metres, whereas the Zoning By-law requires a rear yard setback equal to 20% of the lot depth or one-half the building height, whichever is greater, but in no case less than 7.5 metres (requirement being 16.2 metres).

The original conceptual site plan is included in Attachment-8.

Current Proposal

Revised submission materials for the Zoning By-law Amendment application were received and include the following key changes:

- Elimination of Speedvale Avenue driveway;
- Revision to parking layout;
- Revision to building entrance;
- Addition of ½ storey to the overall building height; and,
- Changes to the building elevations.

Through the review of the applications, staff are recommending one additional specialized zoning regulation for maximum density in the “Infill Apartment” (R.4D) Zone. The R.4D Zone permits up to 100 units per hectare and staff are recommending that it be limited to 45 units per hectare to align with the site-specific Official Plan Amendment requested.

A review of the proposed zoning and specialized regulations is included in the Staff Review and Planning Analysis in Attachment-11.

Proposed Development

The applicant is proposing to develop the lands with a three and a half storey, 21-unit apartment building and convert the existing single detached dwelling located at 213 Speedvale Avenue East into a three-unit building. The applicant is proposing 24 parking spaces, and a full moves access onto Delhi Street. The gardens and wooded rear yard area associated with the subject lands will be maintained and used as common amenity area for the proposed development.

The current conceptual site plan is included in Attachment-9 and the proposed building renderings and elevations are included in Attachment-10.

Staff Review and Planning Analysis

The staff review and planning analysis for these applications is provided in Attachment-11. The analysis addresses relevant planning considerations, including the issues raised by the public and Council at the statutory public meetings. Final comments on the revised proposal from agencies and internal City departments are included in Attachment-13. The staff review and planning analysis addresses the following:

- Evaluation of the proposal against the 2020 Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluation of the proposal’s conformity with the Official Plan, including the proposed Official Plan Amendment;

- Review of the proposed site layout, built form and parking;
- Review of the proposal's land use compatibility with adjacent and established land uses;
- Review of the proposed zoning, including any specialized regulations;
- Consideration of the applicable sections of the Community Energy Initiative (CEI) update;
- Review of supporting documents submitted in support of the applications; and,
- All land use planning comments and issues raised at the public meetings and all comments received from circulated agencies and members of the public.

Financial Implications

Estimated Development Charges: \$520,803 (Based on current rates for 15 -1 bedroom units and 9 – 2+ bedroom units. DC credits will apply for existing single detached dwellings demolished if new building constructed within 48 months of demolition)

Estimated Annual Property Taxes: \$85,000 (estimate only and actual number may vary)

Actual numbers may vary depending on the final number of bedrooms per apartment as well as the assessed property value. Additionally, there may be legislative changes that limit the ability to levy some or all of these charges.

Staff Recommendation

Planning staff are satisfied that the proposed Official Plan Amendment and Zoning By-law Amendment are consistent with the 2020 Provincial Policy Statement and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe. The proposed Official Plan Amendment and Zoning By-law Amendment conform to the objectives and policies of the Official Plan and the specialized zoning regulations proposed are appropriate for the site. Planning staff recommend that Council approve the Official Plan Amendment as proposed in Attachment-3 and the Zoning By-law Amendment subject to the specialized zoning regulations and proposed conditions to be imposed through site plan approval as outlined in Attachment-4.

The applicant has made minor modifications to the proposed development in response to comments received, which resulted in a slightly revised layout. An analysis of the revised layout and specialized zoning regulations are discussed further in the Staff Review and Planning Analysis in Attachment-11. These changes are considered minor and therefore staff recommend that no further public notice is required in accordance with Section 34(17) of the Planning Act.

Consultations

A Notice of Complete Application for the Zoning By-law Amendment was mailed on February 11, 2019 to local boards and agencies, City service areas and property owners within 120 metres of the subject lands. The Notice of Public Meeting was mailed on March 14, 2019 and advertised in the Guelph Tribune on March 14, 2019.

A combined Notice of Complete Application and Notice of Public Meeting for the Official Plan Amendment which also included notice of a revised submission for the Zoning By-law Amendment was mailed to local boards and agencies, City service areas, property owners within 120 metres of the subject lands and interested parties on April 8, 2022. The Notice of Public Meeting for the Official Plan Amendment was also advertised in the Guelph Tribune on April 14, 2022. Notice of

the applications has also been provided by signage on the subject lands and all supporting documents submitted with the applications have been posted on the City's website.

The Notice of Decision Meeting was mailed/emailed on January 26, 2023 to interested parties who either spoke at the public meetings, provided comments on the applications, or requested to receive further notice. The public notification summary is included in Attachment-14.

Attachments

Attachment-1 Location Map and 120m Circulation

Attachment-2 Aerial Photograph

Attachment-3 Recommended Official Plan Amendment No. 86

Attachment-4 Recommended Zoning Regulations and Conditions

Attachment-5 Existing Official Plan Land Use Designations and Policies

Attachment-6 Existing Zoning

Attachment-7 Proposed Zoning

Attachment-8 Original Conceptual Site Plan

Attachment-9 Current Conceptual Site Plan

Attachment-10 Proposed Building Renderings and Elevations

Attachment-11 Staff Review and Planning Analysis

Attachment-12 Community Energy Initiative Commitment

Attachment-13 Departmental and Agency Comments

Attachment-14 Public Notification Summary

Departmental Approval

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